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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:) Group Art Unit: 2675
Yuan-Cheng CHIN *et al.*)
Serial Number: 10/057,918) Examiner: U. Anyaso
Filed: January 29, 2002) Attorney Docket: CHIN3014beu
) Confirmation No.: 3719

For: Modulated Optical Mouse For A Personal Computer

AMENDMENT AND RESPONSE

Honorable Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is in response to the Office Action dated September 23, 2003.

Amendments to the claims begin on page 2.

A request for an interview is set forth on page 5.

Remarks/Arguments begin on page 6.

DEC 23 2004

Via Facsimile - 10 Pages - (703) 872-9314

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: YUAN-CHENG CHIN ET AL
 SERIAL NO.: 10/057,918
 FILED: January 29, 2002
 FOR: MODULATED OPTICAL MOUSE FOR A PERSONAL COMPUTER

GROUP ART UNIT: 2675
 EXAMINER: U. Anyaso
 ATTY. REFERENCE: CHIN3014/BEU

COMMISSIONER OF PATENTS

P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a communication/amendment in the above-identified application.

- Small entity status under 37 CFR 1.9 and 1.27 is claimed.
 No additional fee is required.

The fee, if any, has been calculated as shown below:

Fee Basis	Number of Claims After Amendment	Highest Number Previously Paid For	Extra Claims	Small Entity	Full Fee
Total Claims	-	¹ =	³	$\times \$25 =$	$\times \$50 =$
Independent Claims	-	² =	³	$\times \$100 =$	$\times \$200 =$
<input type="checkbox"/> First Presentation of Proper Multiple Dependent Claim				$+ \$180 =$	$+ \$360 =$
TOTAL					

¹ If less than 20 enter 20.² If less than 3 enter 3.³ If less than 0 enter 0.

- Please charge my Deposit Account Number 02-0200 in the amount of \$ _____. A duplicate copy of this sheet is attached.
 A check in the amount of \$ _____ is attached.
 The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is attached.
 Also enclosed is/are:

I HEREBY CERTIFY THAT THIS
 PAPER IS BEING FACSIMILE
 TRANSMITTED TO THE U.S. PTO
 ON THE DATE SHOWN BELOW.

(PRINT) J.S. Holmes
 (SIGN) J.S. Holmes
 (DATE) 12-23-04

23364
 Customer Number
 Phone: (703) 683-0500

Respectfully submitted,

DATE: December 23, 2004


 Benjamin E. Urcia
Attorney for Applicant
 Registration Number: 33,805

Serial Number 10/057,918

REQUEST FOR INTERVIEW

Should the Examiner feel that the claims should be amended to even more specifically define the inventive features discussed below, and in particular if the Examiner still considers Fig. 3 of the Davis patent to show a separate embodiment from Fig. 2 (as argued in the second complete paragraph on page 4 of the Official Action, despite Fig. 3 being a cross-section of Fig. 2), or if the Examiner considers Fig. 3 to show an LED 34 that is integrated with rather than separated from sensor chip 16, the Examiner is requested to grant a personal interview before issuing a final rejection of the application.